

HON'BLE SHRI G.S. SINGHVI, THE CHIEF JUSTICE

AND

HON'BLE SHRI JUSTICE G. BHAVANI PRASAD

WRIT APPEAL NO. 474 OF 2006

BETWEEN

K. Vijayabhaskar Reddy

.....Appellant

And

The Chief Engineer, Zone, APSPDCL, Vijayawada & others

.....Respondents

:: JUDGMENT ::

Counsel for the Appellant : None

Counsel for the Respondents : Shri M. Sree Ramulu Reddy

Dated: 28-04-2006

Per G.S. SINGHVI, CJ

This appeal is directed against order dated 16.02.2006 passed by the learned Single Judge, whereby he refused to entertain Writ Petition No.2809 of 2006 filed by the appellant questioning the demand created by the competent authority of Andhra Pradesh Southern Power Distribution Company Limited, in lieu of pilferage of electricity by him.

The learned Single Judge took notice of the fact that the appellant had questioned the demand by filing appeal under Section 127 of the Electricity Act, 2003 but the same was dismissed because of his failure to pay one-third of the demand, which constitutes condition precedent for entertaining of appeal and held that there is no warrant or justification to entertain the writ petition.

Since no one has appeared for the appellant, we have no option but to presume that he is not interested in prosecuting the case. Consequently, the appeal is dismissed in default.

G.S. SINGHVI, CJ

G. BHAVANI PRASAD, J

28.04.2006

ksld/svs